

**The Construction of Ability, Disability and Rights: The case study of the University of
KwaZulu-Natal Students, Pietermaritzburg Campus.**

by

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DECLARATION

I Gugu Precious Mjilo, hereby declare that:

This dissertation titled “The construction of abilities, disabilities and rights. The case study of the University of KwaZulu-Natal students, Pietermaritzburg Campus” is my original work. This dissertation is being submitted for the degree of Master’s in Political Sciences in the Faculty of Humanities, in the school of Social Science, University of KwaZulu-Natal, Pietermaritzburg, South Africa. None of the present work has been submitted previously for any other degree or examination in any other university. Where use references, ideas and citations were made of the works of other authors, these have been acknowledged in the text. In addition, this thesis does not contain other persons’ data, pictures, graphs or other information, unless specifically acknowledged as being sourced from other persons. Lastly, this thesis does not contain text, graphics or tables copied and pasted from the Internet, unless specifically acknowledged, and the source being detailed in the thesis and in the References sections.

Signature.....

Miss. Gugu Precious Mjilo

As the candidate’s supervisor, I have approved this dissertation for submission

Signature.....

Dr Khondlo Mtshali

DEDICATION

I dedicate this work to Mrs. Annacletha Gomazana Mjilo (My Grandmother), Mr. Nicolas Mfana Mjilo, Mr Bhekuyise Mjilo (my late granddads) My Uncle Mr. Zamokwakhe Mjilo (the late), My Mjilo family, my brother Mr Mlondi Ndlovu and to my late friend Mr Siyanda Nzama.

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Abstract

With the advent of democracy in 1994, the post-1994 South Africa set itself the task of correcting past injustices, including discriminations against people with disabilities. The 1996 constitution and various legislations were introduced as tools to achieve this goal. Institutions of higher education followed suit with their own policies. In 2004, the University of KwaZulu-Natal introduced its own policy on disability, namely, Policy on Students and Staff with Disabilities. This research argues that even though the University of KwaZulu-Natal (UKZN) does have the policy on disability, the University has not been able to fully address some of the issues that are affecting students with disabilities. The study interrogates the intersection of the ascribed identity of people with disability with accessibility and human rights. This is a qualitative research study that uses social constructivism theory, accessibility model and human rights theory.

The study utilizes both primary and secondary data sources. In addition to the South African Constitution, various legislations and UKZN policy as its primary data sources, the research also relied on interviews with twenty purposefully selected student participants from UKZN's Pietermaritzburg campus. Collected data was thematically analyzed. With regard to the construction of disabilities, the study found that there were contested construction of disabilities varying from the medical model to the social model. While participants noted UKZN's achievements in effecting the rights of students with disabilities, some participants also noted that the gaps between the policy and its implementation. In some instances, the study thus found a gap between formal, negative rights and positive rights. Among the recommendation of the study are awareness campaigns and infrastructural changes.

Acronyms and Abbreviations

ANC	African National Congress
CRDP	Convention on Rights of Persons with Disabilities
DASA	Differential Abled Student Association
DoE	Department of Education
DoHE	Department of Higher Education
DU	Disability Unit
DSU	Disability Support Unit
DPSA	Disabled People South Africa
DSRA	Department of Students Representative Affairs
LAN	Local Area Network
NSFAS	National Student Financial Assistant Scheme
PMBC	Pietermaritzburg Campus
PWDs	People with Disabilities
SA	South Africa
STATS SA	Statistics South Africa
SRC	Student Representative Council
UKZN	University of KwaZulu-Natal
UKZNPMB	University of KwaZulu-Natal Pietermaritzburg
UN	United Nations
UNCRPD	United Nations Convention on the Rights of Persons with Disabilities

Table of Contents

DECLARATION	i
DEDICATION	ii
ACKNOWLEDGEMENTS	iii
Abstract.....	iv
Acronyms and Abbreviations	v
Chapter One: Introduction	1
1.1. Background to the study	1
1.2. Statement of the Problem (Research Problem)	2
1.3. Research question and objectives	3
Specific objectives	3
Key Questions to be asked.....	3
1.4. Rationale for the study	3
1.5. Significance of the study	4
1.6. Scope of the study.....	4
Chapter Two: Literature Review	5
2.1 Introduction	5
2.2. What is literature review?	5
2.3 Approaches to Understanding Disabilities	6
Medical approach.....	6
Social Approach	6
Construction of disability in general	7
2.4. Definitions of Disability	8
2.5. Definition of Ability	9
2.6. Disability within the context of South Africa	10
2.7. Disability and the Constitution of South Africa	11
2. 8. The Construction of ability, disability and rights in institutions of higher education and training: in South Africa.	12
2.9 Disability Research at the University of KwaZulu-Natal	14
2.10 Conclusion	15
3.1 Introduction	16
3.2 Concepts, Models and Theories	16
3.3 Social Constructivism	18
3.4 Human Rights	19

3.5 Accessibility model.....	20
3.7 Alignment of Conceptual and Theoretical Frameworks with Research Questions...	21
3.8 Conclusion	21
CHAPTER FOUR: THE RESEARCH METHOD AND METHODOLOGY.....	22
4.1 Introduction.....	22
4.2 What is a Case Study?	22
4.3 Advantages of the Case study	22
4.4 Disadvantages of the Case study.....	23
4.5 Research Methodology and Methods	23
4.6 Research Paradigm.....	24
4.7 Data Collection Method(s) and Procedures.....	25
4.8 Method of data analysis.....	26
4.9 Planning for recording data.....	26
4.9.1 Data collection and preliminary analyses	26
4.9.2 Managing data.....	27
4.9.3 Reading and writing memos	27
4.9.4 Generating categories, themes and patterns	28
4.10. Coding the Data.....	28
4.10.1. Testing emergent understanding.....	28
4.10. 2 searching for alternative explanation.....	28
4.10. 3 Report writing	29
4.10. 4 Validity, reliability and Credibility	29
4.12. Transferability.....	30
4.13. Dependability.....	30
4.14. Confirmability	30
4.14.1 Ethical considerations.....	30
4.14.2 Anonymity	30
4.14.3 Informed Consent Form.....	32
4.14.4 Limitations of the study.....	33
4.14.5 Conclusion	34
CHAPTER FIVE: DATA PRESENTATION AND DATA ANALYSIS	35
5.1 INTRODUCTION.....	35
5.2 Map of UKZN Pietermaritzburg Campus.....	35

5.3 Short profile of participants	37
5.4. AGE	38
5.5 NATURE OF DISABILITY	39
5.6 DATA PRESENTATION AND DATA ANALYSIS	40
5.6.1 The difference between an individual with disability and an individual without a disability	40
5.6.2 Factors used to label an individual as disabled:	42
5.6.3 Who determines whether an individual has ability or a disability?	43
6.6.4 The construction of rights:	45
5.6.4.1 Negative Rights	45
5.6.4.2 Positive Rights	47
5.6.4.3 Institutional Mechanism to Effect Positive Rights	52
Awareness of University Policy on Disability	52
The Effectiveness of the Disability Support Unit	53
5.6.5 Conclusion	54
6.1. Conclusion	55
6.1.1 Chapter Summaries	55
6.2. Recommendation	55
6.2.1 Community Building	55
6.2.2. Infrastructural upgrade	56
6.2.3 Disability Support Unit	56
Bibliography	57
Appendix A: Informed Consent	64
Appendix B: Questionnaire	66
Appendix C: Ethical Clearance Approval Letter	68

List of Tables

Table 3. 1 Shows the alignment of conceptual and theoretical frameworks with research questions.	21
Table 5. 1: Participant's Age and Gender	38
Table 5. 2: Type of Impairment and Number Participants	39
Table 5. 3 : Participants by gender and level of study	39

Chapter One: Introduction

1.1. Background to the study

Under apartheid, South Africa was characterized by various forms of discriminations including discrimination based on race, sex, gender, and disabilities. Thus, institutions of higher learning were characterized by barriers based on race, gender and disabilities, among others. With the transition to democracy, chapter two of the new Constitution of Republic of South Africa accorded people living with disabilities certain rights which include right to citizenship, right to dignity, and right to respect and the right to education. The post-1994 government followed this constitutional mandate with legislations geared toward actualizing the rights of people living with disabilities. In June 1997, the Office on the Status of Disabled Persons was established as a directorate in the Office of the Deputy President of South Africa. Another initiative was the Higher Education Act (1997) which mandated all educational institutions to “ensure that learners with disability can access education” (Government Gazette, 18 November 2016). Higher Education institutions, such as the University of KwaZulu-Natal, followed these national initiatives with their own policies.

In 2006, the University of KwaZulu-Natal passed its own policy on disabilities. In particular, UKZN committed itself to making the university “universally accessible and inclusive for all students and staff, including those with disabilities”. There are several studies on disabilities in institutions of higher learning. Some of these studies focus on access to institutions of higher learning (Lehohla, 2014; Lazarus, 2003; Matshedisho, 2007). Other studies focus on the perception of non-disabled students, disabled students, and staff (Mayat & Amosun, 2011; van Jaarsveldt & Ndeya-Ndereya, 2015; Banjies et al., 2015). There are studies that research the construction of disability, that is, the process involved in the ascription of who a person with disability is (van Amsterdam, Knoppers and Jongmans, 2015; Tierney, 2001; Bantjes, Swartz, Conchar & Derman, 2015).

This research is interested in an area that is rarely researched, namely, the intersection of ascribed identity of a person with disability with accessibility and human rights. With regard to the University of KwaZulu-Natal, there several studies on disabilities, however, most of these studies have focussed on Howard Campus (Naidoo (2010), Moodley (1994), Zitha (2014). This study will firstly interrogate the construction of disabilities at the University of KwaZulu-Natal's Pietermaritzburg campus. Secondly, this study will evaluate whether the rights of students with disabilities are only formal rights or they are substantive rights. Lastly, the study connects the construction of disabilities with accessibility and human rights.

1.2. Statement of the Problem

According to Hanson (2015: p10) 'a research problem statement lays the foundation for work that needs to be done to correct a situation'. It also presents a statement of research intent, background information, outlines the current situation, as well as identifying the challenges of the study. Furthermore, it aids as a guide for the researcher. Rowland (2015: p3) also mentions that a research problem aids as a starting point for a research and is a unifying thread that runs throughout all the elements of a research. The thread that runs throughout this research is the connection among ascribed identity, accessibility and human rights.

The University of KwaZulu-Natal has been considered to be amongst the top research universities internationally, and in the African continent (University of KwaZulu-Natal, 2015). The University of KwaZulu-Natal also prides itself with having progressive policies to address the issues of affecting students with disabilities. However, the experiences of students with disabilities provide contrary evidence. Using the case study of Pietermaritzburg campus, this research interrogates that discord between the formal existence of policies and their application and the experiences of the students with disabilities.

Therefore, this study seeks to get an understanding of the construction of ability and disability with reference to the case study of the University of KwaZulu-Natal students (Pietermaritzburg Campus). In addition, this study also seeks to bring new ideas and understanding to the distorted perceptions on the construction of ability, disability and human rights, it will further add to the arguments on how disability, ability and human rights are constructed.

1.3. Research question and objectives

Specific objectives

1. To investigate and analyze how, abilities, disabilities and rights are constructed at the University of KwaZulu-Natal, in particular, at the Pietermaritzburg campus.
2. To investigate how students understand abilities and disabilities.
3. To investigate the students' rights at the University of KwaZulu-Natal.
4. To investigate the rights that are specifically for students living with disabilities.
5. To determine whether these rights are formal, substantive, or both formal and substantive.

Key Questions to be asked

1. How are abilities, disabilities and rights constructed at the University of KwaZulu-Natal, in particular, at the Pietermaritzburg campus?
2. How do students understand the abilities and disabilities?
3. What are students' rights at the University of KwaZulu-Natal?
4. Are there rights that are specific to students living with disabilities?
5. Are these rights formal, substantive, or both formal and substantive?

1.4. Rationale for the study

The researcher, a student with disabilities who uses a wheelchair, chose this topic because of the difficulties that the researcher and other students with disabilities suffer and are going through at the University of KwaZulu-Natal, Pietermaritzburg Campus. This study will question the construction of ability, disability and human rights at UKZN's Pietermaritzburg campus. The study will investigate how this construction of ability, disability and human

rights affect the everyday lives of students with disabilities at the University of KwaZulu-Natal, Pietermaritzburg Campus.

1.5. Significance of the Study

This research is of the significance because it seeks to get an understanding of the construction of ability and disability with reference to the case study of the University of KwaZulu-Natal students (Pietermaritzburg Campus). In addition, this study also seeks to bring new ideas and understanding to the distorted perceptions on the construction of ability, disability and human rights, it will further add to the arguments on how disability, ability and human rights are constructed.

As it has already been noted above that student with disabilities is not a well-researched topic in South Africa, let alone in KwaZulu-Natal when it relates to gender transformation. Therefore, the research which explores construction of ability, disability and rights: The case study of the University of KwaZulu-Natal students Pietermaritzburg Campus. Its also seeks to get an understanding as to how does the University balance taking care of every students equally such as providing good infrastructure, providing equally accessible residences to all students and financial assistance equally to all students. It will also to look at what measures that are in place for the betterment of student's life as they play an important role of being stakeholders at the University and also in the advancement of the academic standard of the University. This study will also serve as an awareness to the University community about the needs of students with disabilities and abled-bodied students on campus

1.6 Scope of the Study

Chapter one (1) is an introductory chapter. This chapter will provide background to the topic and discuss research questions and objectives. Chapter two (2) is a literature review chapter, while chapter Three (3) is a theoretical framework chapter. Chapter four (4) is a research methodology chapter while chapter five is a data presentation and data analysis chapter. Chapter six (6) is the concluding chapter.

Chapter Two: Literature Review

2.1 Introduction

This chapter reviews selected literatures on ability, disabilities and rights respectively. It commences with a discussion of what literature review is. This is tracked by the discussion of the different approaches to understanding disabilities. The chapter then discusses definitions of ability and disability. Subsequently, this chapter discusses disability in the setting of South Africa. Following this is the discussion of the literature that deals with the construction of ability, disability and rights. The last subsection looks at works that have dealt with disability at the University of KwaZulu-Natal.

2.2. What is literature review?

According to Explorable (2017), “A literature review is a critical and in-depth evaluation of previous research. It is a summary and outline of a particular area of research, allowing anybody reading the paper to establish why a researcher is pursuing this particular research program. Furthermore, a good literature review expands upon the reasons behind selecting a particular research question.” Literature review is vital because it make available the background to the study that is being proposed. To add on, literature review helps the researcher to avoid the mistakes that have been committed by previous researchers.

When writing the literature review, the researcher looks for secondary sources of information like books, journal articles, and internet sources amongst others. Literature review is the most significant tool that is used to identify the problem of the study, which can be resolved by collection of data.

2.3 Approaches to Understanding Disabilities

There are two dominant approaches to understanding disabilities, namely the medical approach or medical model and the social approach or social model.

Medical approach

According to Shakespeare (1994), the medical approach focuses mainly on the impairment itself while the person becomes side-lined. Furthermore Abberley (1987), Barnes (1990), Lunt et.al (1994), Marks (1999), Oliver (1986) and Kleinman (1986) have variously argued that this model regards illness or disability as residing within damaged bodies. This approach put too much emphasis on impairment, hence, the main focus has historically been on the inability of the body to function, not on the capabilities and strengths that the individual has. Basically, the medical approach views people with disabilities as patients or clients who are in need of medical care and support; professionals such as medical doctors, occupational therapists, social workers, physiotherapists, neurologists and so forth are seen as the experts in determining and in making decisions for people with disabilities. The medical approach is also referred to as the “individual approach” as it promotes the notion that it is the individual disabled person who must adapt to the way in which the society is constructed and organised (The Open University 2006). This approach has been severely criticized for its inattention to the context of societal responses to disability which serve to systematically exclude and disadvantage individuals with certain impairments.

Social Approach

For the Union of the Physically Impaired against Segregation (UPIAS) the social approach or the social model “demarcated disability not as an impairment or shortfall of body or brain but as a relationship amongst people with impairment and within a discriminatory society” (Shakespeare, 2004: 9). This approach, in other words, states that it is the social environment that places or creates barriers to people. Among the contributors to these barriers are the

perceptions that members of the society have of people with disabilities. The approach, therefore, calls for society to change approach to disabilities. In particular, with regard to physical disabilities, the social model calls for the restructuring of building, roads, transportation, practices and attitudes in accommodating people with disabilities. The social model is best captured by statements such as “Do not make us special. Don’t look at my disability. Me, I am a person in a wheelchair. That is not disability.” Or “Not my paraplegia. My disability is the stairs at the Department of Health and Welfare. That disables me. Just give me an accessible environment. That will make me part of South Africa” (People’s Voices 1998 cited in Patel, 2005:68). However, the social model has been criticized. Some of the critics of the model argue that some people may not experience disability or its barriers and may not even feel oppressed or disabled. Shakespeare (2004) also argues that because the environment is built for the entire society, by removing barriers for some, others may be affected, since different people have different requirements. In spite of the criticisms, the social approach to disability is still a preferred approach.

Construction of disability in general

There are diverse constructions of disability in different spheres of life. Society tends to construct disability and people with disabilities in diverse ways. Some individuals tend to pay attention on the lives that people with disability live each and every single day while others focus on how people with disabilities construct themselves in a way that will enable them to fit in the society that they live in (van Amsterdam, Knoppers and Jongmans, 2015). There are others who see people with disabilities as not capable of participating in some activities such as sports, and so forth. There is also a tendency to restrict disabilities to physical impairments. In this case, other disabilities are excluded (Tierney, 2001). According to Bantjes, Swartz, Conchar and Derman, (2015), there is also a construction of people with disabilities as powerless. The projection of people with disabilities as powerless results in their exclusion from social, political and economic activities.

2.4. Definitions of Disability

Disability is a contested word that means different things to different people depending on the context in which it is being used. According to the Free Merriam Webster Dictionary (1828) the term states that a person has restrictions in carrying out certain tasks that a “normal” person is able to take part in on daily basis. The definitions of disability have been informed by the two paradigms: the medical model and the social model. According to Brisenden (1986), the medical model of disability holds that disability is as a result of a physical condition intrinsic to each and every individual person. Brisenden (1986) further mentions that the medical model of disability holds that disability is something which requires medical practitioners to put the condition “correct”. What is more, this model concerns itself only about the person receiving medical help without societal changes. On the other hand, the social model of disability highlights that the challenges which are faced by persons with disabilities are not created by their impairments, but they are as the results of the environment in which they live in and the society that they are surrounded by (Ntombela 2006; Morrison et al. 2009). Thus, from a social model perspective, the physical and social environment has “disabling” role in the lives of people with disabilities (Wright 2007).

Deborah Marks (1999: 611) argues for the importance of developing a dynamic understanding of disability which recognizes the significance of examining the interrelationship amongst embodied subjects, and complex social and psychic relationships. Her all-encompassing, psychosocially orientated conceptualization is noted for its avoidance of the usual individual social binary that has beset much theorizing of disability. She defines disability as “the complex relationship between the environment, body, and psyche, which serves to discount certain individuals from becoming full participants in the interpersonal, social, cultural, economic, and political affairs” (Marks, 1999: 611).

World Health Organization’s definition of disability draws a three-fold distinction between impairment, disability and handicap. ‘An impairment is any loss or abnormality of psychological, physiological or anatomical structure or function, a disability is any limit or lack (resulting from an impairment) of ability to perform an activity in the manner or within the range considered normal for a human being, a handicap is a disadvantage for a

prearranged individual, resulting from an impairment or a disability, that prevents the achievement of a role that is considered normal (depending on age, sex and social and cultural factors) for that individual’.

The United Nations Convention on the Rights of Persons with Disabilities provides some aspect regarding the definition of disability and their rights: recognizing that the United Nations, in the Universal Declaration of Human Rights and in the International Covenants on Human Rights, has declared and accorded that everyone is entitled to all the rights and freedoms set forth therein, without distinction of any kind. In addition, it considers that persons with disabilities should have the opportunity to be equally actively involved in decision-making developments and in the processes about policies and programmes, together with those directly concerning them. It is also concerned about the difficult conditions that are faced by persons with disabilities who are subject to multiple or aggravated forms of discrimination on the basis of race, colour, sex, language, religion, political or other opinion, national, ethnic, indigenous or social origin, property, birth, age or other status (UN-CRPD 2006).

2.5. Definition of Ability

Ability is demarcated as the possession of the means or skills to be able to do something, talent, or proficiency in a particular area, it is the quality of being able to do something, especially the physical, mental, financial, or legal power to accomplish something. It is also demarcated as the supremacy or capacity to do or act physically, mentally, legally, morally, or financially.

Therefore, abled-bodied means having normal physical and mental abilities to perform a certain function. In other words, ability is the opposite of disability (not having disabilities). Abled-bodied students are students who do not have disabilities, whereas students with disabilities are students who are living with disabilities, for example having visual impairments, quadriplegia and so forth.

2.6. Disability within the context of South Africa

Throughout history, people with disabilities have remained discriminated against. Thus, during the apartheid, disabled pupils were sent to separate “special schools”; this resulted in them being deprived the right to access equal education. The Independent Living Institute of South Africa (2012) shows that, dating back to the apartheid era; people living with disabilities have long suffered from diverse challenges that are a result of discrimination. With the transition to democracy, the Constitution of Republic of South Africa (1996) through its Bill of Rights accords people with disabilities certain rights which include right to citizenship, right to dignity, and right to respect and the right to education. In June 1997, the Office on the Status of Disabled Persons was established as a directorate in the Office of the Deputy President of South Africa. This office, which formerly existed as a Disability Unit now has the responsibility for the development of policies and will take on the overall direction of the Integrated National Disability Strategy.

Lehohla (2014) points out that the last two decades have been characterized by efforts which are or have been put into place in order to recognize the rights of persons with disabilities at the international, regional and country levels and mainstream disability into the development agenda. While the post-1994 era has been characterized by change, people with disabilities still encounter challenges and discrimination. The challenges and discriminations that have been witnessed as the further aspects that are most affecting the population living with disabilities and that has headed the government of South Africa to formulate a document called White Paper 3 of 1997 which has a legislation pertaining more particularly to persons living with disabilities.

2.7. Disability and the Constitution of South Africa

The Constitution of the Republic of South Africa's Bill of Rights is very much accredited for its ability of upholding human rights of all the citizens of the country (Constitution, 1996). Furthermore, in order to guarantee that South Africa is a democratic society, the Constitution includes a Bill of Rights for all South Africans. In Chapter Two of the Constitution, Section 9(3) discourses the issues of inequality. It is also where the rights of persons with disabilities are evidently rooted and guaranteed. The Bill of Rights states that all people, together with people with disabilities ought to enjoy equal rights and points out that discrimination against people with disabilities should not be endured.

However, the constitution of the Republic of South Africa does not explicitly deal with the rights people living with disabilities and students with disabilities in the least of its sections. In actual fact, the constitution of the Republic of South Africa does take into consideration of the issues of the individuals or people living with disabilities. Furthermore, the constitution on a general level does not really specify as to how can they access the different higher institutions of learning throughout the country. Additionally, it does not fully provide what has been done by the government and a country as whole in order to ensure that the needs of persons with disabilities are catered for. Moreover, when it comes to their accommodation in institutions of higher education and their right to access these institutions there are no clear indications in the constitution as to how the process unfolds.

Even though the Constitution protects people with disabilities in South Africa from unfair discrimination based on chapter two of the Constitution which is the Bill of Rights, they continue to suffer discrimination and prejudice (Eplorable, 2017).

2. 8. The Construction of ability, disability and rights in institutions of higher education and training: in South Africa.

The construction of abilities and disabilities in South Africa's institutions of higher learning should be placed in its historical context. In apartheid South Africa, various groups, including people with disabilities, encountered various forms of discriminations (Lazarus, 2003). In the context of higher education, these discriminatory practices hindered these groups from accessing institutions of higher learning. Post-apartheid South Africa has embarked on a path to address these inequalities. Among the legislative and policy tools that have been initiated are: Education White Paper 3 (2001), National Plan for Higher Education (2001), Education White Paper 6 (2001), and White Paper for Post-School Education and Training (2013). White Paper 6 focusses on equal access and non-discrimination. The National Plan for Higher Education provided guidelines for the transformation of higher education system and institutions of higher education. White Paper 6 primarily focussed on basic education while White Paper for Post-School Education and Training called support of students with disabilities in institutions of higher learning.

The responses by institutions of higher learning, to these legislative and policy frameworks, have varied (Matshedisho, 2007). Some institutions have created separate supporting structures while other institutions do not have these structures. The case in point are the Disability Support Unit Services or Disability Units. These are the offices that each and every institution of higher education is required to have. The function of these offices is catering for the social and academic needs of students with disabilities. Those institutions that do not have these offices are unable to fully cater and accommodate students with disabilities.

In order to carry out their mandates, Disability Units depend on the funding that the universities allocate to them. Furthermore, with regards to these differences, they might look relatively small, yet they bring a lot of inequalities between students with disabilities and the abled-bodied students, of which that hinders their opportunity to access equal education as the abled-bodied students do (Matshedisho 2007).

It is in this historical and social context that students and staff construct abilities and disabilities. Students and staff in the various institutions of higher education and training construct disability and students with disabilities in different ways. In their study, Mayat and Amosun (2011) identified participants who “focus on the limitations of persons with disability.” Thus, for some participants in Mayat and Amosun’s study a person with disability is “*someone who is unable to do what others can do! People who have special needs*”. Similarly, for a participant in van Jaarsveldt and Ndeya-Ndereya (2015) “If you’re a blind person you can’t really use Blackboard® so there’s not really a solution for that.”

There is also a tendency to treat people with disabilities as homogenous. Thus, participants in Mayat and Amosun study only thought of physical disability. Thus, their comments on accessibility were limited to physical accessibility. One participant commented: “One of the problems we have in this program is access, the laboratories are not accessible and some of the features are fixed and difficult to change.” The study by van Jaarsveldt and Ndeya-Ndereya (2015) also found that some lecturers assume that disability is a rarity. Therefore, one participant commented that “You don’t actually think about it until something like that happens.” The result is that thus do not anticipate the needs of students with disabilities.

The other side of assuming that disabilities are a rarity is that when there are students with disabilities in a class, some lecturers see them as a burden. Hence, one participant in van Jaarsveldt and Ndeya-Ndereya (2015) commented: “... of course the disabled students are important, but others are as well... And the thing is one must be very careful, because the other students have also paid their fees. They also have dreams and hopes. They’re not disabled, but they also need attention.” Mayat and Amosun study also identified participants who thought that “a student with disabilities could be an embarrassment to students without disabilities.” This is reiterated in van Jaarsveldt and Ndeya-Ndereya study where one participant commented: “What if I accidentally ask this person a question and they don’t react and it’s an embarrassing situation?”

It has been also noted that, both non-disabled and disabled people tend to believe that there is a hierarchy of disabilities (Tringo, 1970). Non-disabled people tend to view people with disabilities less favourably. There is also a tendency to hierarchize disabilities. For example, most people with prefer to be associated with people who have hidden kinds of disabilities

such as learning disability, hearing impaired, asthma and so forth compared to those with visible disabilities such as paraplegic and blindness. People with disabilities tend to categorise themselves based on how they feel about their disabilities and on how they view themselves. Some feel that their disabilities are less severe compared to others. People with disabilities have the assumption that other forms of disabilities are better than others. For example, people who have impairments such as dyslexia, learning disability, epilepsy and aspergers agree that their impairments are better than other impairments because they are hidden disabilities. The result of this invisibility is that they are not prone to social oppression and other forms of discrimination compared to those, such as who wheelchair users and hemiplegic, who have visible disabilities (Mark Deal 2018). The hierarchy among disabilities was also noted by Banties et al (2015). The authors noted that “Participants articulate a perception that individuals with invisible disabilities (such as learning disorders and emotional problems) are less disabled than those with movement impairments. By contrast, the participants consider individuals with sensory impairments to be more disabled than those with motor impairments. They thus often considered themselves to be better off and less disabled when comparing themselves with blind and deaf adolescents” (2015, 248).

2.9 Disability Research at the University of KwaZulu-Natal

Extensive research has been conducted on disability at the University of KwaZulu-Natal. Avanya Naidoo’s 2010 dissertation covers perception and experiences of students with disabilities. Yanga Terresa Futshane 2010 work studied employment experiences of students with disabilities. Phomolo Ramike (2013) studied the impact of disability grant and National Student Financial Aid Scheme (NSFAS) on student with disabilities at the University of KwaZulu-Natal.” Velenkosini Thubelihle Zitha (2014) interrogated the compliance of the University of KwaZulu-Natal with article 9 of the Convention of Rights of Persons with Disabilities. Taegat Devar (2015) researched students with disability, the Disability Unit and the lecturers’ narratives of Disability within a tertiary institution.

2.10 Conclusion

This chapter reviewed literature on ability, disabilities and rights. It began with a discussion of what literature review is. This was followed by the discussion of different approaches to understanding disabilities. The chapter then discussed definitions of ability and disability. Subsequently, this chapter discussed disability in the context of South Africa. This was followed by the discussion of the literature that deals with the construction of ability, disability and rights. The last subsection looks at works that have dealt with disability at the University of KwaZulu-Natal. While there is research on disabilities in institutions of higher learning, there is not much research that deals with the intersection of the construction of disabilities with accessibility and rights. The next chapter with discussion the conceptual and theoretical tools that are utilized by the study.

Chapter Three: Conceptual and Theoretical frameworks

3.1 Introduction

The purpose of chapter three is to provide the conceptual and theoretical frameworks of the research study. Chapter three will aim at explaining the different theories that are used to better and fully understand disability. This chapter will also aim at outlining the importance of these theories in the research project or study. In the process the differences and the similarities will also be a point of discussion in this paper. It will also focus on deliberating on the purpose of the theories in the research project. Lastly, this chapter will also seek to thoroughly give the definition of the theories that are going to be employed in this study and the efficacy or usefulness of these theories as to why they were the chosen as best theories amongst others.

3.2 Concepts, Models and Theories

Theoretical frameworks are considered to be the most essential aspects in every research project because they are the structure that is meant to and could hold or support a theory of the research study. In addition, the theoretical framework is one of the crucial tools in every research project. The word theory could mean different things to different people depending on the context in which the word is being used. According to Charmaz (2014), a theory is a set of assumptions, propositions, or accepted facts that attempts to provide an acceptable or rational explanation of cause-and-effect, or causal relationships among a group of observed phenomenon. The word theory originates from the Greek word *thorós*, which means a spectator. This origin stresses the fact that all theories are mental models of the perceived reality. A theory is a contemplative and rational type of abstract or generalizing thinking, or the results of such thinking Charmaz (2014). A theory is the framework cast-off to explain observations and therefore make future predictions. Depending on the context, the results might, for example, include generalized explanations of how nature works.

In addition, theories are also formulated to explain, predict, and understand phenomena and, in many cases, to challenge and extend existing knowledge within the limits of critical bounding assumptions. The theoretical framework introduces and describes the theory that explains why the research problem under study exists. According to Mertens (1998), a theoretical framework “relates to philosophical bases on which the research takes place and form the link between theoretical aspects and practical components of the investigation undertaking”. Furthermore, Mertens continues that “theoretical framework therefore has implications for every decision made in the research process” (Mertens, 1998: 3).

A theoretical framework is demarcated as a collection of interrelated concepts, like a theory but not necessarily so well worked-out Mertens (1998). In addition, a theoretical framework also serves as a guide in a research. It also helps with determining what things you will measure, and what statistical relationships you will look for.

An explicit statement of theoretical assumptions permits the reader to evaluate them critically. It also helps to connect the researcher to existing knowledge. Guided by a relevant theory, a researcher is given a basis for his or her hypotheses and choice of research methods. A theoretical framework also serves to articulate the theoretical assumptions of a research study forces a researcher to address questions of why and how. It also permits a researcher to intellectually transition from simply describing a phenomenon that the researcher has observed to generalizing about various aspects of that phenomenon (Mertens 1998). In addition, having a theoretical framework helps a researcher to identify the limits to those generalizations. A theoretical framework also specifies which key variables influence a phenomenon of interest and highlights the need to examine how those key variables might differ and under what conditions (Mertens, 1998).

There are many theories and concepts that are used to explain and understand what disability is. Writers and researchers across the world utilizes these different theories and concepts with a purpose of better explaining the complexities surrounding the word disability. The theoretical framework lense in this study will be Social Constructivism which will be further elaborated in the following sections of this chapter.

3.3 Social Constructivism

The Social presentation speaks about the values, beliefs, practices and the various ideas that are shared by the group of community members. In the institutions of higher education and training social representation speaks about how each group of students is represented in all forms of representation for example the abled-bodied students and students with disabilities. In this case, the theory will be applied in a sense that it examines the construction of ability, disability and rights at UKZN PMB campus.

Nicolas Greenword Onuf was the first theorist who introduced the term “Constructivism” in International Relations theory in 1989. He contended that states much the same as individuals are living in a “world of the own making,” as the title of his famous book bears witness. For social constructivists, many entities such as “social facts” are made by human action.

The Social Constructivist theory, as the theory of knowledge in sociology and communication theory, examines the development of jointly constructed understandings of the world that form the basis for shared assumptions about reality (Kim, 2001). The theory centers on the notions that human beings rationalize their experience by creating models of the social world and share and rectify these models through language (Hammesley 1992).

Furthermore, Hammesley (1992) also maintains that a major focus of Social Constructivism is to uncover the ways in which individuals and groups participates in the construction of their perceived social reality. It involves looking at the ways in which social phenomena are created, institutionalized, known, and made into tradition by humans. Social Constructivism holds that knowledge and many aspects in the world around us only exist just because we as the society give them reality through social agreements. For example, nations do not exist in the absence of human society. Social Constructivism, states that people work together to construct the artifacts (Burr, 2015).

To add on, this theory too has the significance in this study as this study it main focus area is to be able to get a deeper understanding on how the bond between these two aforementioned groups is socially and academically constructed in the University environment. Therefore,

the purpose of the study is to find out how students and staff construct and reconstruct ability, disability and human rights.

3.4 Human Rights

The Declaration on the Rights of People with Disabilities was adopted by the General Assembly of the United Nations on 9 December 1975 and encouraged national and international protection of the rights of the disabled (United Nations 2003). “Human rights are those rights that every human being possesses and is entitled to enjoy simply by virtue of being human” (United Nations 2003:4). Degener and Quinn (2002:14) mention the main four core values of human rights: The first value is human dignity, that is, “Each individual is deemed to be of inestimable value, and nobody is insignificant.” Thus, people with disabilities should be treated with dignity and not seen as objects. The second value is autonomy. This value “entails opening up a free or uncoerced space for voluntary action based on a person’s conscience and freely made life choices.” This value protects people with disabilities from not being taken seriously when wanting to make their own life choices.

The third value is equality. This value provides that people with disabilities should have an equal opportunity in society in enjoying or benefiting from the things that are enjoyed by everyone. The fourth value is solidarity. This human rights value acknowledges and endorses that all people need to have a strong unity and common shared interests in making a change for people with disabilities. Degener and Quinn (2002:13) mention that people with disabilities should be given: “access to the full benefits of basic freedoms that most people take for granted and this must be done in a way that is respectful and accommodative of their difference. It means abandoning the tendency to perceive people with disabilities as problems and viewing them instead in terms of their rights”.

Human rights are also divisible into negative rights and positive rights. Negative rights are the rights not to be interfered with. Formal rights to education are negative rights, they simply assert that an individual cannot be physically barred from attending an institution of education. Positive rights obliged communities, societies and institutions to take particular action to ensure the realization of rights. Thus, a positive right to education would ensure that

individuals who are entitled to that right can actually exercise it. The Accessibility Model discussed below is a tool that helped the researcher to evaluate whether the rights of students with disability are actually positive rights and not simply negative rights.

3.5 Accessibility model

This model was advanced by Wright (2007) as one of the models that are utilised to explain disability and its challenges. Accessibility could also be regarded as the "ability to access" and benefit from some structure or entity. In the context of people with disabilities, the model talks to the positive rights. While institutions may have policies that give formal rights to students with disabilities, accessibility model asked whether individuals can actually actualize those rights. According to Wright (2007), the accessibility model has four factors. These are: perceptual accessibility, physical accessibility, financial accessibility, and social accessibility. Perceptual accessibility refers to how "information about the world, as received by senses, is analysed and made meaningful" (Wright, 2007: 16). Perceptual accessibility can be divided into: awareness, that is, information about available resources, attraction, that is, do students with disabilities find a particular environment inviting, and motivation, that is, are students with disabilities motivated to participate in different events. Perceptual accessibility simply says that perception may influence how one relates to one's world. Physical accessibility refers to the accessibility of physical environment.

With regards to disability it asks whether students with disabilities can access places of residence, lecture halls and other facilities. Financial accessibility refers to the availability of financial resources for students with disabilities to attend educational institutions. Social accessibility refers to how students with disabilities can easily access the daily social activities taking place in educational institutions. This model speaks of the means that the society has in place to accommodate persons with disabilities. In the institutions of higher education and training, you find that students with disabilities do not find it easy to socially engage or socialise with the non-disabled students because of various factors such as the inaccessibility of the environment and infrastructure that is in place.

3.7 Alignment of Conceptual and Theoretical Frameworks with Research Questions

Table 3. 1 Shows the alignment of conceptual and theoretical frameworks with research questions.

Research Questions	Concepts, theories and models
How are abilities, disabilities and rights constructed at the University of KwaZulu-Natal, in particular, at PMB campus?	Social constructivism.
How do students understand abilities and disabilities?	Social constructivism, abilities, disabilities.
What are students' rights at the University of KwaZulu-Natal?	Human rights.
Are there rights that are specific to students living with disabilities?	Social constructivism, human rights.
Are these rights negative, positive or both?	Human rights, negative rights, positive rights.

3.8 Conclusion

This chapter has provided the concepts, models and theories which will guide this research. The chapter opened with a general discussion of concept, theory, and theoretical and conceptual framework. This chapter discussed the three tools that will be used by this study, namely, social constructivism, human rights and accessibility model. The next chapter will discuss research methodology and research methods utilised in this research.

CHAPTER FOUR: THE RESEARCH METHOD AND METHODOLOGY

4.1 Introduction

The research methodology and methods plays a crucial role in the study since they are the back bone of the study. This Chapter takes in the various instruments that were applied at what time the empirical data was collected for this study. This chapter present research methodology and methods that utilised in this research. This chapter will commence with a discussion of a case study and its advantages and the disadvantages. This will be followed by a discussion of research methodology and research methods. Finally, this chapter will discuss data collection and data analysis.

4.2 What is a Case Study?

In the field of social sciences and life sciences, a case study is defined as a research method involving an up-close, in-depth, and detailed examination of a subject of study (the case), as well as its interrelated contextual conditions. A case study ought to be defined as a research strategy, an empirical inquiry that investigates a phenomenon within its real-life context. Case Study Case study research is an investigation of a “bounded system” or a case or multiple case over time through detailed, in-depth data collection involving multiple sources of information (e.g., observations, audio-visual materials and reports) (Creswell, 1998).

4.3 Advantages of the Case study

Having illustrated the definition of the word case study, this study will now discuss the advantages of the case study. Firstly, case study gives the analytical power of a person to increase knowledge about a social phenomenon. It also provides grounds for generalization of data for illustrating statistical findings. Case study is a comprehensive method of data collection in social research. The deviant cases are these units which behave against the proposed hypothesis. So, it locates these deviant cases. The tendency is to ignore them but are important for scientific study. Through case study, methods can formulate and develop a questionnaire and schedule. Case study also allows a lot of details to be collected that would

not normally be easily obtained by other research design, data information that is gathered is normally rich and in a very great depth. Case studies also help experimenters adapt ideas and produce novel hypothesis which could be used for later testing. It also simplifies complex concepts. In addition, case study also exposes the participant to real life situations which otherwise is difficult. Researcher uses case study to prove that their theories are correct. Case studies are also valuable for formulation of hypothesis for studies. It compares different facts about the study of the unity.

4.4 Disadvantages of the Case study

The case study is criticised for a fact that data collected cannot be necessarily be generalized to the wide population, it might be difficult to find an appropriate case study to suit all subject. Furthermore, case study can contain the study of observations and perceptions of one person as there are chances that the person presenting the case study maybe completely present it in one manner totally missing other aspects, it uses more time when compared to other instruments that are used in the research.

4.5 Research Methodology and Methods

According to Dawson (2002: 14) research methodology and methods are different aspects of the research project. While the methodology is “general principle that guides your research,” methods are the tools that are used for the purposes of data collection; such as interviews, surveys and observations.

This is a desktop research that also reliant on personal experience and observation. This study also relied on interviews with students at UKZN Pietermaritzburg campus. In addition to students, the Disability Support Unit Coordinator was also interviewed.

4.6 Research Paradigm

The foremost aim of this study was to determine the construction of ability, disability and human rights: the case study of KwaZulu-Natal, Pietermaritzburg Campus, and the design of the study that was employed was the qualitative method. Qualitative findings, according to Kay (1997), helps the researcher to obtain rich, real and deep data. Furthermore, according to Struwig and Stead (2001: 13), “the qualitative data refers to any information that the researcher gathers that is not expressed in numbers”. For example, the researcher was able to contextualize the information gathered from the participants. Qualitative method enabled the researcher to use her interview skills in asking for well comprehensive information about the participant’s construction of ability, disability and human rights. For an example where it was necessary, the researcher was able to ask for further clarity, employing her interviewing techniques to ensure that what the participant said had been captured correctly. In addition, qualitative methods also enabled the researcher and the participants to engage in discussion freely and easily.

Sampling, according to Strydom and Venter (2002), it is when you use a portion of a population for your study as representative that could be used to explain the situation of the population. For this study, purposive sampling was employed with a purpose of recruiting participants. Purposive sampling, also referred to as the judgement sampling, is the sampling technique where the researcher chooses the participants on the basis of predetermined criteria. In other words, participants must possess certain characteristics that will make them useful for the purpose of the study. Therefore, this non-random sampling gives a researcher room for deciding which criteria’s are important for the study and then target only those people who possess such characteristics. (Benard, 2002). As a student with a disability who studies at UKZN’s Pietermaritzburg Campus, it was therefore easier for the researcher to identify appropriate participants for this research. The total sample size was made of ten students with disabilities consisting of five male participants and five female participants. In addition, there were also ten abled- bodied students consisting of six male participants and four female participants.

4.7 Data Collection Method(s) and Procedures

This is a qualitative study which according to Bogdan and Biklen (2010: 197) relies mainly on four methods of data collection: the analysis of documents and material culture – this has already been done above as the literature review; participant observation – as data collection, this method “demands first hand involvement in the social world chosen for study” this affords the researcher an opportunity “to hear, to see and begin to experience reality as participants do” (De Walt and De Walt, 2001: 77). Another crucial data collection tool identified by Bogdan and Biklen (2010: 197) is in-depth interview technique. Simply defined, in-depth interview is “a conversation with purpose” (Kahn and Cannel, 1957:149).

Pre-arrangements were made telephonically, by emails and by verbal communication to various participants requesting them to take part in the study. WhatsApp and face book communications with the participants were also made prior to the meeting. The researcher emailed the questionnaires to the participants after personally meeting with the participant and giving them the informed consent so that it can be signed by each participant before answering questionnaires. The researcher used questionnaire schedule with themes to guide her in obtaining the information. The themes had open-ended questions that allowed the researcher to elicit more and rich information. To add, this format had allowed the researcher and the interviewees to engage in the discussion freely. There were twenty (20) interview schedule and each interview lasted for about one (1) hour.

Prior to the interviews, an informed consent letter was drafted that explained the purpose of the study and guaranteeing confidentiality and anonymity. The consent letter also provided the participants with an opportunity to withdraw from the study should they feel uncomfortable or feel that their right of anonymity is being mistreated. The researcher made it clear to the interviewees that they were fully at liberty not to respond to questions that made them feel anxious. The informed consent letter was not brailed for the totally participants and it was not enlarged for the partially sighted participants. In these instances, the researcher read the consent letter for them and the consent agreement letter was signed using the (X) sign by the participants. Furthermore, participants were also provided with an opportunity to read the consent letter so that they were clear about the content of the research. Also, before

the research began with the interviews, a consent letter was verbally read to the participants in order to ensure that they were comfortable to take part in the research. When the permission was obtained from the participants, the researcher tape recorded the interviews, which were later transcribed into computer file.

4.8 Method of data analysis

According to de Vos (2005:333) “Data analysis is the process of bringing order, structure and meaning to the mass of collected data”. De Vos (2005:334) indicates nine guidelines to help in the process of analysis of the data.

4.9 Planning for recording data

According to De Vos (2005), it is important that the researcher plans ahead about how the data will be gathered, recorded and analysed. In setting about this, the researcher formulated a list of things to do before embarking on data collection. These included selecting the venue for interviews, funds to collect data, the kind of tape recorder to use, how many batteries and cassettes she would need, and where and how to secure the data. All these things made the life of the researcher less stressful. For example, there were times when the battery went flat during the interview. Having spare batteries reduced panic and allowed the interview to flow smoothly and the researcher had to use her phone to record the interviews when the batteries went flat.

4.9.1 Data collection and preliminary analyses

For De Vos (2005), there are two aspects of data collection. One is when the researcher is collecting information at the research site and the other is when the researcher is away from the research site. Furthermore, De Vos (2005) advises that in this process, the researcher should ensure that immediately after the interviews the audiotapes are labelled and note taking is undertaken. These guidelines were followed by researcher to ensure that the information obtained was kept intact. Before the researcher attempted to analyse the findings,

all the raw data was made available in order to ensure that there was no missing information. Also, to safeguard against fallible memory, the responses were recorded and summarized immediately after the interviews (see Struwig & Stead, 2001:130). In addition, again following de Vos's (2005) recommendations the researcher colour coded her notes to keep track of dates, names, and events.

4.9.2 Managing data

The data management stage was demanding and also time-consuming. After every interview, the researcher transcribed the tapes into computer files to ensure that the information obtained from the participants was not lost. A further advantage in this was that it was done while the researcher's memory of the interview was fresh, and she retained a more immediate understanding of what the participants had communicated. This exercise took about four to eight hours, depending on the context of the data collected. In transcribing the tapes, the researcher had to listen to the whole tape repeatedly to ensure that the words of the participants were accurately captured. The researcher also ensured that master copies of the information were kept (de Vos, 2005). This was to make sure that should information get destroyed, there would be backup. Accordingly, the tapes along with hard-copy printouts were kept in a secure place, and the computer files were copied to separate computer systems.

4.9.3 Reading and writing memos

In reading and writing memos, Agar (quoted in de Vos, 2005:337) advises that the researcher should "read the transcripts in their entirety several times. Immerse yourself in the details, trying to get a sense of the interview as a whole before breaking it into parts". The research followed this recommendation, re-reading all the transcripts and writing memos in order to make sense of the data. This was helpful as it allowed the researcher to have a strong understanding of the information collected.

4.9.4 Generating categories, themes and patterns

In the process of analysis, the researcher categorized the data into themes. She noted any repeated issues in the participants' responses and thereby identified broader themes that emerged from what the participants said. Afterwards, she grouped all the responses into those themes. Having done that, she then noted patterns of similar responses. This then allowed the researcher to come up with sub-themes to analyse the data.

4.10. Coding the Data

According to Marshall and Rossman (quoted in de Vos, 2005:338) "Coding is the formal representation of analytical thinking ... codes may take several forms: abbreviations of key words, coloured dots, and numbers-the choice is up to the researcher".

4.10.1. Testing emergent understanding

Once the information had been categorized into themes and sub-themes, the researcher began to examine whether the themes were in line with the context of the research and whether or not they were relevant to include in the analysis. This investigation enabled the researcher to focus on the quality and key issues rather than on the less meaningful and incomplete information.

4.10. 2 searching for alternative explanation

After all this was done, the researcher searched for alternative explanation of the data presented. For example, she went back to the literature review to search for similarities in previous research studies. This enabled the researcher to provide explanations for the information presented by the participants.

4.10. 3 Report writing

Finally, the researcher had to write a report on findings she obtained. She discussed the themes and analytically interpreted them. She then interpreted and provided visualizations of the material by using tables and diagrams. Direct responses of participants were also illustrated throughout the entire writing process. This was done to provide thick description of the findings

4.10. 4 Validity, reliability and Credibility

Lincoln and Guba (cited in de Vos, 2005) stated that there are basically four ways to ensure trustworthiness of qualitative findings.

It is demarcated as the “Credibility is the alternative to internal validity in which the goal is to demonstrate that the enquiry was conducted in such a manner as to ensure that the subject was accurately identified and described” (de Vos 2005:351). For the purpose of this study, credibility was enhanced when the researcher shared the information with peers who were knowledgeable on disability issues. Another way of enhancing credibility was that the researcher herself is a student with a disability who, in 2017 worked with students with disabilities at UKZN Pietermaritzburg Disability Support Unit in 2017. She had a background understanding on issues affecting students with disabilities. For example, one of the motivations for doing this study was that students with disabilities shared accommodation frustrations with the researcher; hence the researcher decided to explore these experiences in a research study. For this reason, it was not just the researcher who had an interest in undertaking the study but also the core participants. The researcher also obtained authorization from the participants through verbal and written consent. In addition, in-depth interview technique was used by the researcher to collect the data. This promoted credibility because the participants did not just state their experiences but were able to engage in discussion.

4.12. Transferability

As noted by de Vos (2005), one of the weaknesses of qualitative research is that it can provide information that is too generalized. De Vos therefore insists that the researcher must provide thick description of what the participants have said and state the theoretical approaches used to formulate generalization. The researcher in this study therefore ensured that thick description from participants' responses was articulated throughout the analysis process.

4.13. Dependability

In establishing dependability of the study, the researcher created an audit trail. This allowed other researchers to review analysis decisions. Also, all the methods used to undertake the study were clearly stipulated.

4.14. Confirmability

Lastly, the researcher had to check the trustworthiness of the results. Following de Vos's (2005) recommendation, the researcher accordingly asked herself number of questions: Were the research findings in conformity with other research findings? Were categories well developed? In addition, the researcher also verified the information by asking the participants and peers to establish whether the information obtained was making sense and whether the all aspects were comprehensively covered.

4.14.1 Ethical considerations

Research ethics are most essential when conducting a study. Saunder et. al., (2009: 189) concur that ethical problems can be anticipated and dealt with during the design stage of any research project. This should be attempted by planning to conduct the research project in line with the ethical principle of not causing harm. The ethical considerations of the study helped the research to ensure that participants do not suffer any form of discomfort, physical harm and embarrassment when participating in the research.

The sought consent from participants before conducting the study. The informed consent document clarified the purpose of the study and also clarified that participation in the study is not compulsory. The researcher also ensured that participants remain anonymous by not disclosing their name in any way.

Bisman and Hardcastle (1999) state that any researcher must consider ethical considerations when undertaking a study to avoid harmful consequences for participants. Among the ethical considerations they indicate as most important are informed consent, confidentiality, and duty to warn and protect. The researcher prepared a consent form that was signed by both the researcher and the interviewees. Participants were assured of the confidentiality of their responses so that they could feel protected and safe to say whatever they might want to contribute to the study. Also, reassurance was given that their names would not appear in the final text of the research. The researcher kept in mind that people with disabilities are vulnerable in society because of unjust laws of the past and the stigma associated with disability. Keeping this in mind allowed the researcher to be sensitive when emotional issues arose that require further intervention. As required by the Ethics Office, the social worker was always on standby during the interviews process, although the researcher did not encounter any situation which would have required her intervention.

4.14.2 Anonymity

As the study was underway, the researcher made sure that the personal information of all the participants was hidden or withheld (for example the names, surnames, student numbers and so forth, were never mentioned or used in the final stage of data analysis. All the participants who partaken in this study remained anonymous and this was ensured by the application of the relevant codes where it applicable such as participant one, participant two, participant three and so forth. For the interviews that were recorded during this study (using recording devices such as voice recording assistive device), all the participants were rest assured that the information that they had shared with the researcher would only remain in the hands of the researcher and it will never be shared with anyone else and this was done in order to show

that all the information of the participants is in the safe hands. The participants were also reassured that, per UKZN ethical guidelines, all data will be destroyed after five years.

In addition, all the participants were informed about the fact that the information that they have given or shared with the researcher, will only be utilised solely for the purpose of this study and that their anonymity will be hundred percent well-locked after as this goes together with the consent form that presented and read to the all the participants prior to the interview process or stage as it was also issued to them for the signature purposes as part of confirming their verbal consents.

4.14.3 Informed Consent Form

For this study, the participants were the abled-bodied students, the students with disabilities and the UKZN PMB Campus Disability Unit Co-Ordinator was also interviewed in order to get an insight on the challenges that she daily face as the Disability Unit Coordinator for this Campus. The participants were only students who are currently registered and studying at the University of KwaZulu-Natal, Pietermaritzburg Campus, therefore it is of a great importance to acknowledge the mere fact that this study is coded red meaning that on the other hand it also deals with the group of students who are somehow considered to be more vulnerable than the other group (students with disabilities) whom some of the studies have revealed that some researchers take advantage of these people whenever they are conducting research. However, in accordance with the ethical principles of research, none of these participants were forced to take part in the study instead they were all more openly and willingly to take part in the study so as to be able to share their experiences as students with disabilities and the abled-bodied students and they were also recruiting other students to take part as well in the study, in fact there were more students who wanted and willing to take part in the study but the study was limited to twenty participants only (Muthukrishnan, 2003:39). From the very beginning of the study, all the terms and conditions of the study that are also in line with the University policy were all delineated to the participants. Moreover, each participant as requested to sign the consent form that guaranteed his or her anonymity as well as that his or her participation was on a voluntary basis and as a results option to terminate their interview. The discretion of the participants was intensively explained to them.

4.14.4 Limitations of the study

Even though the researcher was able to complete the study, it needs to be acknowledged that she was confronted with some challenges in carrying it out. The biggest challenge was formulating a database of students with disabilities who are studying at UKZN PMB Campus. There was no previous database available at the University for this group of students but through a process of consultation with the disability officers the researcher had to wait before the data base was finalised and available and at later stage she was informed that the Disability Support Unit is no longer allowed to give the data base to other people beside the staff including the Disability Support Unit Co-ordinator and as result the researcher was not given the data base to use it as part of her research. When it came to the data collection, those students who had previously agreed to take part in the study were no longer available because some finished their studies while the Researcher was still trying to get the ethical clearance approval. Also, with those who agreed to participate in the study it was difficult to secure appointments. Some had tests and practical's scheduled for same day that the interviews were scheduled for.

Some would frequently cancel appointments for interviews, and this was very frustrating as it delayed the analysis process. The researcher had no bursary (in the second of her study) support to do this study, so she had to use her own funds to meet all the expenses incurred. For some participants, for example, she had to pay for travelling costs to attend interviews and go their workplaces and homes, as well having to pay for phone calls. The researcher in those instances clarified the purpose of the research as well as assuring them of confidentiality and their right to withdraw from the study. With this assurance the majority of the participants then had less anxiety and were comfortable to respond to the questions asked.

4.14.5 Conclusion

This chapter began with discussion for a case study and its pros and cons. It then discussed research methodology and research methods used in this research project. Finally, this chapter discussed data collection and data analysis. The following chapter will present findings of the study.

CHAPTER FIVE: DATA PRESENTATION AND DATA ANALYSIS

5.1 INTRODUCTION

The purpose of this chapter is to present data that was collected for this research project. Primary data sources for this project included interviews with twenty participants made up of ten able bodied students and ten students with disabilities. Additional data was also collected through observation. The data collection process happened over a period of about two months.

5.2 Map of UKZN Pietermaritzburg Campus

Figure 5.1 is a map of UKZN Pietermaritzburg Campus with lecture venues, residences and libraries. The PMB campus is located in the city of Pietermaritzburg in KwaZulu-Natal province. This campus has five residences: Petrie Hags, Petrie Lodge, Petrie ERH, WOB and Denison. From the map, it can be seen that Cecil Renaud Library is closer to Petrie Hags, Petrie Lodge, Petrie ERH and WOB while the Law Library is closer to Denison. The map also shows major gaps on this campus. It is important to note that some of the gates are turnstile gates. Thus, students with physical disabilities, especially those who use wheelchairs, are not able to utilize these gates. These students have to take longer routes to go to various destinations on campus. The map also shows Old Main Building (OMB), New Arts Building (NAB), and Commerce Building. These buildings house lecture venues and administrative offices. It is important to note that the offices of the Disability Unit, the office that is charged with catering for students with various disabilities, is located at far north-western corner of the campus. This office is therefore a distance from lecture venues and libraries. The map will help the reader understand physical barriers that are faced by students with various disabilities, especially those with visual impairment and those who use wheelchairs.

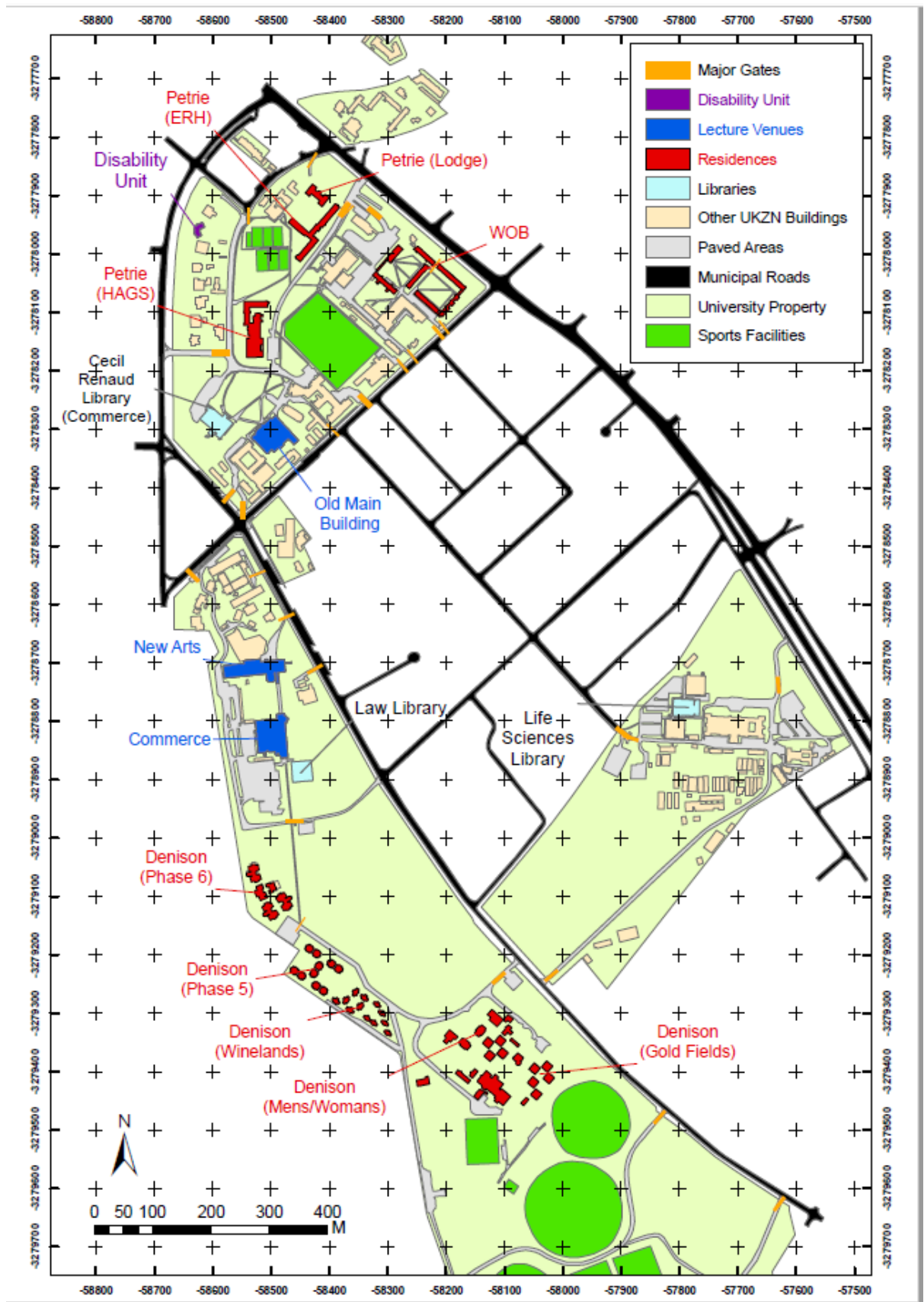


Figure 5.1 Map of UKZN PMB Campus

5.3 Short profile of participants

There was a total of twenty participants in this study. The researcher did not encounter any significant difficulties in collecting data. All the participants were willing to share the information during the interview sessions though the interview process was delayed due to the fact that most of the students had very tight schedules such as writing tests, attending the tutorials, having practical's and so forth. The study's sample consisted of a heterogeneous group which varied with respect to age, gender, religion, race, level of study as well as the nature of disability, that is, for those who have disabilities. There were five (5) male participants and five (5) female participants with disability in this study which makes the total number of students with disabilities to be equal to 10. Three (3) participants were between the ages of 18 and 25 i.e. two female participants (specifically) one was partially hearing impaired and the other one is partially deaf and one blind male participant. Five (5) participants were between the 26 and 35 and four of them were male students i.e. two were totally blind, one had a chronic illness (end renal stage) and they are all doing their Bachelor's degrees and the fourth one were physically disabled (short left arm and short right leg-Masters candidate) and the fifth one is the female student with a physical disability (Honours student). Two female participants are between age of 36 and years old, the one visually impaired – (Honours) student and the other one was physically disabled–quadriplegic-wheelchair user-master's candidate. Seven of the participants were Christians, one male was a Muslim and the other one was Buddhism, one female was an Anglican. Four out of ten participants who were aware of the University of KwaZulu-Natal Policy on Disability.

For this study, the data collection was mostly done during the weekends and on the evenings during the course of the week. This was due to the fact that when the Researcher got her ethical clearance back, she was still doing her internship in one of the Government Departments in Pietermaritzburg. As a result, she was not around on campus during the day, but there were interviews that were conducted during the week as she took study leave at work for one week. The University of KwaZulu-Natal has about 99% of black students who are staying on University residences. Since, the participants were all staying at University

residences, the result is that all interviewees are Black Africans. There were International Students with disabilities who participated in this study. All participants were registered students at the University of KwaZulu-Natal, Pietermaritzburg Campus for the academic year 2017 and 2018 respectively. In addition, all participants were residing in different University campus residences, including those that are reserved for students with disabilities.

5.4. AGE

Most of the participants were relatively young students who are between the age of 18 and 25 years old followed by the students who are between the age of 26 and 35 years old then lastly by students who are between the 36 and 40 years old. However, they were very few students from this age category (only 3 participants). Table 5.1 shows the number of participants in this study according to their gender and age.

Table 5. 1: Participant's Age and Gender

Age in years	Number of female with disabilities	Number of females without disabilities	Number of males with disabilities	Number of males without disabilities	TOTAL
18 – 25	2	1	1	3	7
26 – 35	1	3	4	2	10
36 – 40	2	0	0	1	3
TOTAL	5	4	5	6	20

Source: Compiled by the Author

5.5 NATURE OF DISABILITY

Students who were participants in this study had different impairments, therefore their needs are also different. As a result, the kind of assistance they require from the University differs from one kind of disability to another disability. Table 5.2 below shows different types of disabilities or impairments that the participants had and the number of students with that impairment.

Table 5. 2: Type of Impairment and Number Participants

Impairment	Number of Students
Blind	4
Congenital Deformation of Left arm and Right Leg	1
Partially deaf	1
Quadriplegic	1
Chronic Illness	1
Hearing Impairment	1
Physically challenged	1
TOTAL	10

Source: Compiled by Author

Table 5. 3 : Participants by gender and level of study

Level of Study	Male	Studies
Undergraduate Studies	4	2

Honours Studies	1	2
Masters Studies	7	1
PhD Studies	1	2
TOTAL	13	7

Source: Compiled by Author

5.6 DATA PRESENTATION AND DATA ANALYSIS

The subsections in this section are organized around the research questions

5.6.1 The difference between an individual with disability and an individual without a disability

The research question and corresponding interview questions asked the participants to articulate their understanding of what accounts for differences between an individual with disability and an individual without disability. From the responses, it is clear that most of the participants' views were shaped by the medical model. As discussed in chapter 2 of this research, the medical model focusses on impairment and impaired bodies. This model consequently privileges the role of medical practitioners in the lives of people with disabilities. Thus, for one participant, Lihle, a female non-disabled student "An individual with a disability is limited or restricted from physical activities." For another participant, what differentiates a person with disability is "Defomity in any part of the body that impair movement, hearing, and seeing, eating and other physical and mental activities. Another participant had a more elaborate response:

I can say that what differentiate these people is the fact that the one without a disability is able to do most of the thing on herself or himself without depending on other people for help unlike the one with a disability, there are things that she or he cannot do by him or herself like someone who is blind there are things that he or she cannot see whilst the abled-bodied person will be able to see those things, yeah I can say that those are some of these things that differentiate them, you see (Lungisani #male).

While the majority of the participants adhered to the medical model, there were some who seemed to be influenced by the social model. As discussed in chapter 2, for the social model, it is the social environment that places or creates barriers for people with disabilities. One participant had this to say:

Mmmh for me, we are the same disability actually does not define that person, the disability is there just because somebody might be not able to do every other things that the normal bodied people could do so for me that is how I decide, because for me I don't see myself eh with a physical disability, I see myself as me, but the people who see me sitting on a wheelchair, they are the ones to say that ohh that lady with a physical disability oh on a wheelchair, so for me it more like there are constraints that we as people living with physical disabilities face that sometimes there are certain things we cannot do where as they do any other things, but then visa versa you will find that the people with physical disability can even do much better than the abled bodied people.

For these participants, the line that separates abilities and disabilities is not clear. There are things that people with disabilities cannot do, but there are also things that people with disabilities can do but those who are labelled as without disabilities are not able to do. This view is supported by other participants. For example, one participant said:

In my understanding its depends on the disability of a person with disability, otherwise I see no difference between a disabled person and a non-disabled person because a disabled person only feel that she or he is disabled or she is disabled once there is a problem of accessibility and not being accepted in the society otherwise we disabled students we are as normal the non-disabled students (Mpumelelo #male)

The last participant captures the core of social model and constructivism. The problem is not physical or mental impairment, but the problem arise when an individual is not able to access the resources and facilities that they need in their lives. The problem is also when individuals are discriminated against.

5.6.2 Factors used to label an individual as disabled:

In terms of factors that are taken into account in labelling an individual as either able or disabled, participants had different perspectives. Most of the participants' views seemed to be aligned with the medical model.

One participant stated that:

The physical make-up of that person; in other words, they take into accounts certain physical features whose absence determines disability. So, for example, people who look at one's eyes to see if they blind or not. Another characteristic they take into account is if a person is using any instrument to assist them perform ordinary functions like a wheelchair to be mobile, crutches, or walking sticks, etc.

The similar illustration was also reported by a female participant who said:

I think it the appearance they look at the person, let's say when they see the person cannot see, is on wheelchair is or does not have a hand or does not have any thing in his body part, they consider the person to be disabled so it is physical appearance.

The similar illustration was also reported by a male participant who said

Mmm a person is considered abled if they can do mmm, they can do majority of the things on their own they do not usually rely on the assistance of other people and also that maybe they are not limited maybe in terms of walking and doing things writing in terms of all those things and in social activities they are not limited in those things.

However, this perspective was contested.

Mmmh for me, we are the same disability actually does not define that person, the disability is there just because somebody might be not able to do every other things that the normal bodied people could do so for me that is how I decide, because for me I don't see myself eh with a physical disability, I see myself as me, but the people who see me sitting on a wheelchair, they are the once to say that ohh that lady with a physical disability oh on a wheelchair, so for me it more like there are constraints that we as people living with physical disabilities face that sometimes there are certain things we cannot do where as they do any other things, but then visa versa

you will find that the people with physical disability can even do much better than the abled bodied people.

Another participant added:

Mmmm For me as an example since I am totally blind once they see my white cane they will know that I have a visual impairment and for you (referring to the researcher) since you are a wheelchair user, when they see you using your wheelchair they will label you as a disabled person and a person using crutches will be labelled with the crutches that they use otherwise there are disabled people whose disabilities are not visible to other people like a partially sighted person. You cannot see that a person is partially sighted and it is very difficult if especially that person is not even wearing eye glasses at that time. it is the physical factors, the assistive devices they use and yeah I think it's basically those.

This constructivist perspective is further supported by another participant:

I think by looking at that person, the physical appearance, you see this person is abled but you will be surprised that there are physical disabilities that are not actually visible by the naked eye you find that person might be partially sighted but you won't know that the person is physical disabled, and then you find that this person has anxiety disorder and you might not know, the person might be autistic and you might not even know because when you look at the physical appearance of the person, you won't identify, so I think the fact that, so for me I think we are all able bodied until then you find out what is it that is different about this person, unless you can cause there are disabilities where you see a person with a walking stick then you know that this person is blind, a person sitting in a wheelchair like myself then you know that there is something wrong with this person so I think those are the factors.

5.6.3 Who determines whether an individual has ability or a disability?

There were various responses to this question. Some of the participants suggested that medical doctors were the ones who are supposed to determine whether an individual has a disability or an ability. Thus one participant said:

Doctors are the ones who can diagnose a person if he/she is disable or not, because may the people who are staying with the person may notice that in the body of that person there are some parts not functioning normally or not working then they take him/her to the doctor to confirm that.

Other participants indicated that it is an individual who should make that determination. Thus, one participant advised thus:

I think it is how that individual views him or herself. If he/she thinks that she is disabled than a person reading her form will expect a disabled person. Also, the way people see the person, plays a determining factor.

Lastly, there were other participants who said it was the society.

I think as we grow in the Society as kids, we or there is a normal route like maybe or if there is a or if you are playing outside as kids you know, small kids as you are still crawling and crawling and the parents see that ok fine my kid is a or does not have a clear eyesight, does not see or may does not walk properly then that the different shaping comes from there whilst we are still growing up then from there consulting to the Hospital or to the Clinic then like yes, I think it's Societal if I may say so, Secondly I think a person who may identify that an individual has a disability should be a Doctor according to my own experience, a Doctor should be the one, we do not have the right to point at people and saying that they have disabilities I think that goes against ethics and codes of this country.

Another participant, Isaac, a student living with disabilities added:

I would say that depends upon an individual with or without a disability because according to my understanding we all have our own disabilities even though eeh the non-disabled consider themselves as a non-disabled but there are hidden disabilities within them because sometimes the things they do , you can see that ehhh the mind of that person even though she or he is non-disabled but its mental status is not functioning like ehheh an abled bodied person, secondly you will find that a disabled person take people like Natalia Du Toit who is a swimmer, with her disability she can do anything she even gets Gold Medal represents the country which the abled-bodied are failing to do, and you take disabled people like Oscar Pistorious they excel

whilst they do not have their legs, they use blades, they excel beyond their disabilities so it's depends on an individual.

5.6.4 The construction of rights:

The responses addressed negative rights and positive rights.

5.6.4.1 Negative Rights

There were participants who limited their responses to negative rights. These participants pointed to basic rights of students. Thus, one participant indicated that students with disabilities have rights “they are humans, and they have equal rights as us. So, if we are entitled to have something that they should also be entitled to have that thing.” Another participant added:

I think the right to study, anyone who has meet the minimum requirement to study at the University no matter him been abled or disabled deserve to come to University, that the first right I consider and while to be in the University, the students do have the right to have an access to all the infrastructure that exists within the University and the right for his religion practice, sexual orientation yeah.

To illustrate negative rights, with regard to physical accessibility, every student to study at UKZN. However, some of the lecture venues and residences are not accessible to students with physical disabilities. Thus one participant points out that:

So far I can say with regards to residence the University is trying though there is that ehheh I think loophole especially in the housing office, because the housing officers they are not aware of where to place students with disabilities even though we don't want residences that are especially for disabled students only like it is in Howard College, we want inclusive residences but when they place disabled student sometimes you find that ehheh they place a disabled student in the first floor or second floor and they think that that person because she or he is partially sighted there will be no danger yet the stairs are a very high risk for a partially sighted person because you

can think that you know the stairs but you can miss them and again when we look at the fact that eeehh wheelchair users are only accommodated in Denison residence in the University that is a very discriminating factor because its means that ehhh, that limits the wheelchair users regarding ehhh making friendship with students who are non-disabled, who are specially residing on campus because on campus there are residences are not renovated to suits the needs of the wheelchair users, if a wheelchair users has a friend in like Petri Hags, WOB, Wildon-hall, ERH, or Annex or Wildon-house or Malherbe or anywhere around except Denison it means that student will only wait for a friend to come outside, and when they want to go and consult at the Old Main Building (OMB) when they are doing IsiZulu as a Language they are facing a huge challenge because even their Lecturer must come down to them because the OMB is structured in a way that is not accessible for the wheelchair users

Formally, all students have a right to receive accommodation in University residences. However, this is not always the case because students with disabilities feel that the University is not making enough effort to priorities their rights when it comes to residence admission and allocation because there are a lot of residences that are designated only for the able-bodied students. There are very few residences that are well designated for disability needs. For example in Denison, there is only one block that is wheelchair friendly, and this block has only seven rooms. This basically means that if there are more seven wheelchair users who registered as students in particular year, the eight student will not get a reasonable accommodation because there will be no residence that will accommodate him or her. This also has negative impacts on the lives of students with disabilities, given that there is only one block that is wheelchair friendly this means that students who use wheelchairs cannot social with non-disabled students. This also has implications for their academic works, that is, this makes it difficult to do group assignments with non-disabled students.

The PMB campus has a lot of barriers that students with disabilities face. Some of the lecture venues in New Arts Build are on the first, second or third floor. Access to lecture venues in Old Main Building is through stairs, there is not wheelchair ramp. It is therefore impossible for wheelchair users to access these venue. In the case of lecture venues in New Arts Building students with disabilities at times miss their lectures when the elevators are not working.

The University Library, Cecil Renaud Library, provides another illustration of physical accessibility and negative rights. Every student has a formal right to use the library. However, the library is not physically accessible to students with some visual and physical disabilities. For example, students who are partially or totally blind and those who use wheelchairs. The books are not formatted for students who are blind. The books are also on the first and the second floor of the library. Thus, when the elevator is not working, students who use wheelchairs cannot access the books. These students cannot therefore submit their assignments on time and they end up being penalized for late submission. The some of the books are also stacked in shelves that are too high to be accessible to an individual who uses a wheelchair.

Formally, all students have a right to be represented by the Student Representative Council (SRC). However, at Pietermaritzburg campus, the offices of the SRC offices are located at the Students Union Building which can only be accessed through staircases. Students who are using wheelchairs and the blind students cannot therefore access the offices of the SRC. This means these students must always have someone to assist them before they can actually get help from the SRC. So, if they need help from the SRC, they first send someone on their behalf upstairs to request one of the SRC representatives to come downstairs so that she or he can assist. At times there are a lot of students in their offices already, it happens that one will wait for more than one to two hours before being assisted. At times, this means that a student with disability has to come back the following day.

Social accessibility can also be used to illustrated negative rights. All students have rights to participate in extra-curricular activities. However, there are no proper facilities that are in place for students with disabilities at PMB campus. Thus, if there is a disability sport day, students with disabilities are required to travel to Howard College Campus or Westville Campus because these two campuses have better sporting facilities for students with disabilities.

5.6.4.2 Positive Rights

While all participants recognize the existence of negative rights, some were able to point out the difference between these negative rights and positive rights.

Mmm since I can remember from young age everybody has a right, right, the moment you are born, you have got the right, when you are student you have a right to education you have a right to access, you have a right to everything that everybody else has a right to, you should be protected everything that you need should be provided, security must be provided, everything must be provided for you, so for me those are the rights as a person that everybody must respect your space, must respect you as human individual, must actually take into consideration that I need respect this person because each and every one of us has a right whether its create race or whatever, we are all the same, we must have a right, so I feel like the University student must have a right to education, must have a right to access to the information, I think that's it yeah.

While most participants did not mention dignity and autonomy, for this participant, personal space and respect are important components of rights. This participant was also able to link formal rights to positive rights. Thus, while the participant emphasizes equality, that is, “right to everything that everybody else has a right to”, that participant also point out that everything must be provided.”

The relation of negative and positive rights is further addressed by other participants. Asked whether students with disabilities have the same rights with regards to admission, accommodation, finance, tuition and socializing, one participant, Thandi, a female non-disabled participant had this to say:

Not all of them. It depends on their disability to be admitted, since I am here at the University I did not come across with deaf person. In the accommodation they get rooms that would accommodate their disability. In financial aid their income is bigger than the others they get more meal allowance, and book allowance, tuition is the same to all. In socialising is not balanced most of time disabled people are discriminated.

This participant points out that there are cases where the rights are only formal, that is, they only exist on paper. For example, the rights of deaf persons to attend at UKZN Pietermaritzburg campus are only formal since this particular campus does not have facilities to accommodate deaf persons. This is also the case with regard to the rights to socialize. The point about the right to socialize is continued by other participants. One participant, Lungani, a male non-disabled student cautioned: “Perhaps with socialising it’s complicated because it

concerns the people reaction to disability. I ‘ve heard some people complain about how the abled students will not date the disabled students.” This is put in stronger term by another participant:

with regards to socialising, you know there is thin line between love and hate is in it, sometimes you will find that the people will socialise with you because they feel pity they are like ohhh shame she is disabled but then the moment you start sitting down with these people and then communicate with these people and then they realise that they don’t actually have to feel sorry for you.

This is further clarified by another participant who points out that “there are not social programmes for students living with disabilities”. This is supported by this researcher’s own experience. When this researcher, a student with disability using a wheelchair, first came to University of KwaZulu-Natal, she met students from different backgrounds that is different race, gender, culture and different disabilities. Some of these students were reluctant to speak with her, let alone to be friend with her. They feared of approaching her since she was on a wheelchair. They assumed that she won’t be open or feel free to talk with them as they are non-disabled students. In some cases they were even scared to sit next to her in class, or to be in same assignment group with her. This was due to the fact that most abled-bodied students had never seen a person with a disability. They thus came to the University with certain constructions of who a person with disability is such beliefs that people with disabilities are talented enough to attend a University. However, with time, non-disabled student started to befriend the researcher.

To this researcher’s experience, social accessibility barriers were worsened by prevailing perception. This researcher’s experience is that students with disabilities are perceived as students or people that do not take part any social activities such as sporting activities or political activities. As a result they are left out of these activities. However, the researcher noticed slight changes beginning in 2016 when one of a students with a disability became a member of the Students Representative Committee (SRC) as Students Services Officer and was re-elected in 2017 as the Secretary General Officer. There were more opportunities for students with disabilities to participate in extra-curricular activities.

For these participants and the researcher, therefore, social accessibility and the right of students with disability to socialize, that is, the right to solidarity, is limited. The difference between negative and positive rights is further explored by another participant, Nhlanhla, a non-disabled male student:

Yes, I think they have the same rights, however, I think the application of these rights is more difficult for disabled students. For example, everyone has a right to accommodation, but this right comes with being able to access that accommodation, and access to buildings is more difficult for someone on a wheelchair than one who has two legs, because the building needs to have a lift.

The participants acknowledge that all students have the same formal rights. However, the realization of these rights will differ from context to context. Thus, with regard to the right to accommodation, a building with multiple storeys needs an elevator so as to be accessible to an individual who uses a wheelchair. This point about accessibility of building is further explored by another participant, Nonhle, a female student with disabilities:

No, in terms of accommodation-some disabled students find it difficult to get to accommodation fast and they need assistance when bathing, cooking, etc, so they are entitled to stay with assistants, some are entitled to stay in designated areas which have no steps or stairs – therefore, prices of those accommodation vary, and the finance does.

The last participant points to financial assistance for students with disabilities. This is supported by another interviewee, Cebo, a non-disabled student:

A student living with disabilities they also get funding that caters for students living with disabilities, they get assistive devices as well, they get students assistants, they get personal people that they come and assist them while they are at the University so for that I would say I can give the University 8/10 because they are really doing such a good job.

This aspect of financial accessibility is shared by this researcher. It is important to reiterate that *students with disabilities get funding that covers their full tuition fee, residence accommodation, and book allowance, assistive devices such as laptops, printers, voice recorders and so forth. Students with disabilities also get funding for their human support*

(personal assistances). All this is in a bursary form since they are not required to pay this money to NSFAS back after finishing their studies. On the other side, non-disabled students get NSFAS funding as well which covers half of their tuition fee, book allowance, residence accommodation, meal allowance and assistive devices which only comprises the computer. Another difference is that the abled-bodied students the amount of funding that they get is not equal to that of students with disabilities and also they (abled-bodied students) are required to pay it back after finishing their studies. What the researcher also experienced in terms of financial accessibility was that the Disability Unit assists them to apply for funding and in terms of getting the right assistive devices.

Thus participants pointed out that formally, all students have right to admission, accommodation, financial support and tuition. However, in reality, institutions of higher education have taken additional measures to ensure that people with disabilities enjoyed these rights:

No, admission-because the University must offer that student with full package like residence, unlike the one with no disability, but it all depends on the kind of that disability. No, accommodation-It must be based on the condition of that disability, but there must be additional right for the students with disability for example sight disability they must be accommodated with their monitors for escort purposes and so forth No, finance – Since they are more financial depending, therefore they must be covered based on their condition i.e. some of them are unable to walk a long distance, therefore they require to take a taxi, resulting to additional usage of their finances. No, Tuition- some requires special tests and assignments; therefore, it must be charged base on the condition. Yes, on socialising, same rights to everyone.

5.6.4.3 Institutional Mechanism to Effect Positive Rights

While rights are accorded to individuals by constitutional and legal frameworks, the effecting of these rights to make them positive rights requires institutions. This subsection will discuss the University policy on disability and the Disability Support Unit as the institutions that are entrusted with effecting the rights of students with disabilities.

Awareness of University Policy on Disability

From the interviews conducted, it seems that a large number of students were not familiar with the University Policy on disabilities. Only six individuals said they know of the policy. Thus, one female respondent, Thobeka said:

Yes, I am aware of the University Policy on Disability, People with special needs policy- I was part of the team that was completing that Policy in 2017. It was sent to me by the people from the Human Resources and how that came about because I was attending a meeting and then I said to them how come you find that some of these Policies are drafted by the people who actually does not know anything about disabilities and they live the people with physical disabilities to actually be the one that talks about the issues that affects them directly, so then they decided to ok they going to email me that draft and then I had to grow to through and then I had to add on that Policy, so I felt like it's about time that we as people living with physical disabilities we give then our own experiences rather than people that does not about and that actually observe and don't live with disabilities, actually making these Policies, hence I was part of that Policy

Another female participant, Zinhle, stated that she knows the University Policy that is used to cater for students with disabilities on campus:

Yes, I know the Policy on students with disability, it is the accommodation of students with disabilities in the Institution and Financial Support.

The Effectiveness of the Disability Support Unit

The disability unit is the central as it the first point of encounter for student with disabilities. It is the home of these students. Therefore, it is essential for the facility to be efficient and effective in the provision of services to its stakeholders. The Disability Support Unit offers different services to students with disabilities. The first service that one can make note of is that of financial assistance. Students with disabilities are offered bursaries which assist with purchasing of assistive devices and employment personal assistants. The Disability Support Unit assists students with disabilities with their academic related needs. For instance, it makes sure that the reformatted notes and course pack for the partially sighted and totally blind students are always readily available to students. In addition, this unit organises test and examination for students who are registered with it.

However, participants raised some concerns about the Disability Support Unit. Some participants stated that the Disability Support Unit lacks staff members who are well trained to deal with the disabled students because there is only staff member who is employed on permanent basis and the rest of the staff members are employed on contract basis. This particularly applies to students assistants who have short term contracts of six months. This has negative impact especially on students with visual disabilities. The employment of student assistants on short term contract also affect other students with disabilities since the delayed the preparation of required material such as course packs.

One participant, Thokozani, sums up the concerns about the Disability Support Unit:

I think the fact that already there is a or there are Disability Units that's on its own means that the University is open to the people living with Disabilities rights, the fact that the Disability Coordinators they go out to the schools ehhe outside schools, Government schools and inform them that we do have the Disability Units, if there are students who are interested they can actually come, so for me that is actually or that means that the University is doing something , the fact that we have students assistants that are getting paid by the University to assist the students who are not

able to do some writing on their own or pushed the students around so that means the students is catering.

This point is also emphasized by Thobeka, a female participant:

Ok to the University Management firstly I would like to recommend that they increase the budget for a Disability Unit and they should take a Disability Unit serious, they cannot have a Disability Unit and not take it serious because the Unit is there but we can see that it not well-resourced you see so that it's a problem of the budget and also the problem of not taking the Disability Unit serious.

5.6.5 Conclusion

Chapter five is a data presentation and data analysis chapter. The chapter opened with a map of PMB campus the shows relevant infrastructures. This was followed by the profile of participants. Data was analysed and presented according to themes that are aligned to research questions. The first theme relates to the difference between and individual with disabilities and a non-disabled person. The responses of the participants were separated between those who hold to a medical model and those who seem to be influenced by the social model. The second theme relates to factors used to label an individual as either non-disabled or disabled. Again, the discussion showed that some of the participants were influenced by the medical model while other were influenced by the social model. As to who determines whether an individual has disabilities or not, some of the participants said it is medical doctors, other said it is the individual concerned while there were others who pointed to the role of family and other institutions. The chapter then discussed negative rights and positive rights. It is important that to note that when policies are not implemented the rights remain as rights only on paper. The discussion highlighted several barriers to accessibility that limited rights to negative rights. The last part of the chapter looked at the institutions that are responsible for ensuring that rights become positive rights.

CHAPTER SIX: CONCLUSION AND RECOMMENDATIONS

6.1. Conclusion

6.1.1 Chapter Summaries

Chapter one is an introductory chapter. The chapter provided background to the topic and discussed research questions and objectives. Chapter two reviewed literature on ability, disabilities and rights. This chapter began with a discussion of what literature review is. This was followed by the discussion of different approaches to understanding disabilities and a discussion of definitions of disabilities. Chapter two then discussed the South African context. It then discussed the literature that deals with the construction of ability, disability and rights. The last subsection of this chapter reviewed research on disability at the University of KwaZulu-Natal. Literature review revealed paucity of research that deals with the intersection of the construction of disabilities with accessibility and rights.

Chapter three dealt with the concepts, models and theories which will guided this research. In particular, this chapter discussed social constructivism and human rights theories and accessibility model. Chapter four discussed data collection and data collection tools that were used in this research. Chapter five is a data presentation and data analysis chapter.

6.2. Recommendation

The recommendations are informed by the research findings and the suggestions of the participants.

6.2.1 Community Building

There is a need to for community building. Interviews revealed a lot of distrust between non-disabled and disabled students. The participants recommended elimination of infrastructural barriers. It was noted in chapter five that the lack of residences that cater for the needs of students with disabilities means that students with disabilities, especially those who use wheelchairs are not able to visit other students since other residences are not wheelchair accessible. The participants also recommended that the University Management organize awareness campaigns especially in the beginning of the year. This will assist non-disabled students and the students with disabilities to interact.

6.2.2. Infrastructural upgrade

One of the prominent issues that were raised by the participants on the findings of this study was that the University needs to do the review of all its infrastructure such as lecture theatres, residences and try to make them accessible to students with disabilities. Participants also recommended that the University needs to make LANs accessible to students with disabilities. In some cases this will require installation of appropriate software. In other cases, this will require physical upgrade of existing infrastructure so that it user-friendly to all students with disabilities.

6.2.3 Disability Support Unit

It was also suggested that the Disability Unit together with the University Management must make arrangement to employ student assistants on longer term basis. Short term employment of student assistants have negative effect on students with disabilities as they have to adapt to new working with new assistant. This is especially important for students with visual disabilities as they rely on the sense of hearing to recognise individuals. It was also recommended that the Disability Unit needs to get more funds from the University so that it can support its programs. It was also recommended that the Disability Support Unit needs to make itself visible to the University community so that the community is aware of its role.

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Appendix A: Informed Consent

Informed Consent Document

Dear Participant,

My name is Gugu Precious Mjilo (Student No) 213556300. I am a Masters candidate studying at the University of KwaZulu-Natal, Pietermaritzburg Campus. The title of my research is: The Construction of Ability, Disability and Rights: The case study of the University of KwaZulu-Natal Students {Pietermaritzburg Campus}.

The aim of the study is to investigate the construction of ability, disability and rights at UKZN. In order to collect data the Students With Disabilities and the Abled Bodied Students will be a case study. In order to collect data a questionnaire will be applied. This research is worth doing because it tries to find ways to improve the self-confidence of students living with disabilities and bridge the gap of inequality between abled-bodied students and students with disability, this will also have a positive impact on their academic performance. This study is important because it will assist the University management and the University community at large, including the abled-bodied students, students with disabilities and the staff members on how they can work together in order for the betterment of the students with disabilities lives and their rights through changing their perception and their views towards students with disabilities and vice versa way at the University of KwaZulu-Natal, Pietermaritzburg Campus environment. I am looking at the construction of ability, disability and rights between the abled-bodied students, the students with disabilities as well as the staff of the University of KwaZulu-Natal, Pietermaritzburg campus. I am interested in interviewing you so as to share your experiences and views based on the aforementioned topic.

Please note that:

- The information that you provide will be used for scholarly research only.
- Your participation is entirely voluntary. You have a choice to participate, not to participate or stop participating in the research. You will not be penalized for taking such an action.

- Your views in this interview will be presented anonymously. Neither your name nor identity will be disclosed in any form in the study.

- The record as well as other items associated with the interview will be held in a password-protected file accessible only to my-self and my supervisors. After a period of 5 years, in line with the rules of the university, it will be disposed by shredding and burning.

- If you agree to participate please sign the declaration attached to this statement (a separate sheet will be provided for signatures)

I can be contacted at: School of Social Sciences, University of KwaZulu-Natal, Pietermaritzburg Campus, Scottsville, and Pietermaritzburg.

Email: 213556300@stu.ukzn.ac.za OR mayooo293@gmail.com

Cell: 071 293 1936 / 074 719 9209

My supervisor is Dr. K.Mtshali who is located at the School of Social Sciences, Pietermaritzburg Campus, and University of KwaZulu-Natal.

Contact details: email:mtshalik@ukzn.ac.za

Phone number: 033 260 5892

Thank you for your contribution to this research.

DECLARATION

I..... (*Full names of participant*) hereby confirm that I understand the contents of this document and the nature of the research project, and I consent to participating in the research project.

I understand that I am at liberty to withdraw from the project at any time, should I so desire. I understand the intention of the research. I hereby agree to participate.

I consent / do not consent to have this interview recorded (if applicable)

SIGNATURE OF PARTICIPANT

DATE

.....

.....

Appendix B: Questionnaire

Gugu Precious Mjilo 213556300 Masters Questionnaire

The Construction of Ability, Disability and Rights: The case study of the
University of KwaZulu-Natal Students, Pietermaritzburg Campus.

SECTION A

Gender: Male ☐ Female ☐

Age group:

18-25 ☐

26-35 ☐

36- 40 ☐

Level of Study

Bachelor's Degree ☐

Post Graduate Degree ☐

Honours ☐

Masters ☐

PhD ☐

Race: African ☐ Coloured ☐ Indian ☐ White ☐

Other_____ (Specify)

Religion _____

Disability

YES		NO	
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If yes, please explain the nature of Disability

- Are you aware of the University Policies n Disability? Please tick Yes ☐ No ☐

Please name the Policies that you are aware of:

SECTION B

1. What differentiates an individual with a disability from an individual without a disability
2. What factors do people take into account before they label an individual as disable?
3. What are some of the factors from which a person is considered 'able'? please explain
4. What is your understanding of students rights within the University?

Please explain.

5. Who determines that an individual has a disability or an individual does not have a disability?
Please explain.

6. Have you interacted with students with disabilities in the University? Please explain.

6.1. Do students with disabilities have the same rights with regard to Admission, Accommodation, Finance, Tuition and socialising? Please elaborate.

6. 2 Do students without disabilities have the same rights with regards to admission, accommodation, finance, tuition and socialising? Please elaborate.

7. How are the rights of students with disabilities being met with regards to admission, accommodation, finance, tuition and socialising? Please elaborate.

8. What recommendations can you make to the University Community, Management and Stakeholders?

Appendix C: Ethical Clearance Approval Letter



22 March 2018

Ms Gugu P Mjilo 213556300
School of Social Sciences
Pietermaritzburg Campus

Dear Ms Mjilo

Protocol reference number: HSS/2169/017M

Project title: The construction of ability, disability and rights: The case study of the University of KwaZulu-Natal Pietermaritzburg Campus..

Full Approval – Committee Reviewed Protocol

With regards to your response received 20 March 2018 to our letter of 18 December 2017, the Humanities and Social Sciences Research Ethics Committee has considered the above-mentioned application and the protocol has been granted **FULL APPROVAL**.

Any alterations to the approved research protocol i.e. Questionnaire/Interview Schedule, Informed Consent Form, Title of the Project; Location of the Study, Research Approach/Methods must be reviewed and approved through an amendment /modification prior to its implementation. Please quote the above reference number for all queries relating to this study. Please note: Research data should be securely stored in the discipline/department for a period of 5 years.

The ethical clearance certificate is only valid for a period of 3 years from the date of issue. Thereafter Recertification must be applied for on an annual basis.

Best wishes for the successful completion of your research protocol.

Yours faithfully

Professor Shenuka Singh (Chair)
Humanities & Social Sciences Research Ethics Committee

/pm

cc Supervisor: Dr KS Mtshali
cc Academic Leader Research: Prof M Naidu
cc School Administrator: Mr N Memela/Ms Nancy Mudau

Humanities & Social Sciences Research Ethics Committee

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